

Commonwealth of Virginia Private Security Service Advisory Board

March 5, 2002

Quarterly Meeting Minutes

Held at the Virginia State Police Academy, Richmond, Virginia.

At approximately 10:00 a.m. Chairperson Joyce Monaghan called the meeting to order for the Private Security Services Advisory Board (PSSAB).

Attendees:

Joyce Monaghan, Chairperson, Mary Kay Wakefield, Vice Chair, Brent Fortner, Lynn Herring, R. Stephen Martin, Steven Masterson, Lt. Paul Midgett, Peronneau Brown Robertson, Jr. Robert Shuster and Clyde Sparks.

Absent:

John Seay, Secretary.

Approval of Minutes:

Minutes for the December 4, 2001 Private Security Service Advisory Board (PSSAB) Meeting were reviewed.

Mr. Leon Baker, Section Chief for the Private Security Service pointed out an error on page 4 with regard to DCJS Fees Increase Report. Mr. Baker explained that he did not make the following statement “ He explained that for the past three years the section had operated in an annual deficit budget.” A motion by Mr. Herring and seconded by Mr. Fortner to delete the sentence. Unanimously approved.

Ms. Wakefield stated on page 4 second to the last paragraph she feels that the comment regarding the use of the word “majority” is misleading and not all attendees express a disagreement against the proposed fee increase. Mr. Herring stated that he received a lot of reaction to the fee increase, but the board made the motion to accept the fee increase. It was agreed that this is a moot point and no action was needed.

The December 4, 2001 minutes will be revised and placed on the next agenda for the Private Security Service Advisory Board’s approval.

Committee Reports

Legislative Committee Report:

Ms. Wakefield stated that the PSSAB sponsored House Bill 511 has passed the House and Senate with amendments and is currently in committee. If HB 511 becomes law it will go into effect in January 2003. This bill will require all unarmed security officers to submit fingerprints to Private Security Services. It also included an amendment to the Fair Credit Reporting Act for eliminating the exception for private investigators. An additional amendment was included to

allow armored car drivers to drive vehicles before all of their training was completed. Another group put in Senate Bill 71. Both bills are similar and we are trying to make them identical.

Reciprocity Committee Report:

None.

Special Events Security Committee:

Mr. Fortner stated that on February 28, 2002 a meeting was held concerning ATM technicians and the committee recommended that it should be addressed in the regulatory review process. Security Consultants would not be pursued at this time. Special events will be referred to Job Task Analysis and the committee will pursue means of communication and education of event promoters of licensure requirements.

See attached written report.

Fees Committee Report:

Mr. Robertson, Jr. stated that on February 21, 2002 none of the participants showed up. Mr. Robertson indicated that he met with Mr. Baker and Ms. Hahn. He stated that the DCJS provided a plethora of budget and financial information for the committee to review. Mr. Robertson provided committee comments and suggestions.

See attached report.

Proprietary Security Committee Report:

The Board expressed a need for proprietary security to be regulated. The Board suggested marketing the idea to the proprietary side by inclusion, education and for public safety. The Boards ideas contained suggestions for waivers tier system and ensuring a criminal history check. Mr. Robertson, Jr. and Mr. Fortner will co-chair Proprietary Security Committee. Leon Baker states that DCJS will help in anyway possible.

Unfinished Business

None.

DCJS Report

Mr. Leon Baker, Section Chief for Private Security Services report:

- The emergency fees did not get approval. Fees will be addressed in the bi- annual regulatory process.
- Private Security Services recently lost one Investigator who will not be replaced at this time.
- Private Security Services will only be paying half the salaries for a computer programmer and finance employee.
- Travel and training expenses will be reduced.
- DCJS management fee is under consideration for a reduction.
- Mr. Leon Baker is resigning from the Installation Quality Board.
- Mailing and in-house training will be reduced.
- Private Security Services is proposing that the DMV accept direct payment from applicants for their photo identification. This will be a saving of \$126,000.
- The 2002 conference will be cancelled.
- Staff adjustment will be made to cover the enforcement shortage.
- Lisa Hahn, Deputy Section Chief is meeting with finance weekly.
- Private Security Services is not anticipating any more reduction in staff.

Board comments: A conversation on the procedure of how the regulants were going to obtain their DCJS ID from DMV indicated concerns about abuse. The board indicated that the compliance agent would have to manage this process. If this change is made there will be a 30-day lead-time with an industrial mail out. Mr. Masterson was disappointed that a conference would not be held but understood the need for cutbacks. It was discussed whether the Board could manage the conference. Mr. Baker states that it's possible but had reservations about utilizing DCJS staff.

Ms. Lisa Hahn, Deputy Section Chief for PSS report:

- Schroeder Measurement Technologies, Inc. completed and mailed the survey for Security Officers and Private Investigators. The surveys are due back on March 29, 2002. Personal Protection Specialist and Canine Handlers will be evaluated via focus group. Recommendations for above categories are expected in the fall of 2002.
- The regulatory process has been initiated and we are waiting for approval of the Notice of Intended Regulatory Action. The process usually takes approximately 18 months. The public will have an opportunity to express their views with four statewide public hearing to receive suggested changes. Any data obtained from the Job Task Analysis (JTA) report will be incorporated in the regulatory process.

Comments:

The board spoke of the timeliness of the JTA as it relates to the regulation review and requests that DCJS also review the Fee Committee's recommendation. Mr. Shuster suggested that the 90-day training period for unarmed security officers should be addressed in the regulatory process.

- The Department of Criminal Justice Services will request approval of a reciprocal agreement with Georgia for Private Investigators at the next Criminal Justice Services Board Meeting.

Comments:

Mr. Baker stated once Georgia is approved Virginia would have reciprocity with six of the ten states in the USA that allow reciprocity by legislation authority. Mr. Baker stated that future agreements would primarily be recognition agreements instead of complete reciprocity.

- DCJS is developing a web page for the PPSAB, which will include minutes and meetings information and other Board related items.
- Reviewed statistics:

2001 Calendar year case load:

289 cases in which 41% were unlicensed, 15% were for criminal Activity and 13% were for Administrative issues and 4% related to firearm discharge.

302 cases completed
141 business field audits
167 business initial audits
54 school audits
34 school session audits.

Ms. Hahn stated that due to staff reduction the method of conducting initial business audits would be changed. Currently Investigators contact the licensee by telephone, in the future DCJS will send an explanatory letter directing licensees to call DCJS if they have questions.

Public Comment:

Mr. Ron Jordan introduced himself and offered the PSSAB his assistance in lobbying the General Assembly.

Ms. Deborah Aylward, representing the Private Investigators Association of Virginia, stated that Verizon Yellow Book had accepted a disclaimer from DCJS to be put under the title of "Investigators" She thanked DCJS for their help. Ms. Aylward suggests DCJS go further and contact the State Corporation Commission, which regulates advertising, so that disclaimers can be inserted where appropriate. Ms. Aylward spoke in concurrence with Georgia's reciprocity.

Mr. George Haudricourt spoke in concurrence with Georgia's reciprocity and with Mr. Fortner on Proprietary Security needing to be part of Private Security Services.

Mr. Jim Rowe stated that he believes it's the correct time to act to include Proprietary Security and get criminal history checks for the safety of the public.

New Business

A motion by Ms. Wakefield to organize a Procedure Manual Committee for the development of procedures for PSSAB. Second by Mr. Robertson. Unanimously approved.

Mr. Martin wanted to know how the Board was going to address the Harold L. McCann Memorial Award. Ms. Wakefield suggested deferring any action until new board members were appointed. Therefore, no action was taken at this time.

Mr. Clyde Spark brought up the issue of regulating bail recovery agent. Mr. Baker stated if the General Assembly approves a study it would be completed by the State Crime Commission to determine if regulatory requirements are necessary for bail bondsmen and bail recovery agents.

Next PSSAB meeting

Ms. Monaghan stated that the next meeting would be on June 13, 2002 at 10:00 a.m. in Roanoke or Lynchburg, Virginia. Mr. Baker offered to call Cardinal Justice Academy in Salem, Virginia and see if PSSAB could utilize their facility. The board agreed with Mr. Baker's recommendation.

Announcements

The Board wished Carl Fisher and Martha Clancy a quick and healthy recovery.

Ms. Monaghan announced that she will be resigning and that there would be three vacant PSSAB positions: Electronic Security, Private Security Business and Private Investigator position.

Adjournment

With no further business Ms. Wakefield made a motion to adjourn and Lt. Midgett seconded it. Unanimously approved.

Attachments:

March 5, 2002 Quarterly Meeting Agenda

March 5, 2002 Sign in Sheet

March 5, 2002 Public Comment Sheet

Special Events Security Committee report

Fees Committee report